

Agenda Item #11.G.



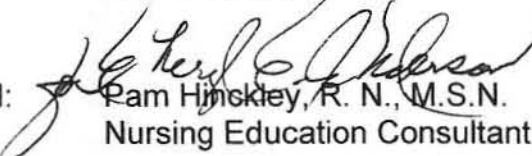
STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN JR.

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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DATE: October 24, 2011

TO: Board Members

FROM: 
Pam Hinkley, R. N., M.S.N.
Nursing Education Consultant

SUBJECT: InfoTech Career College, Vocational Nursing Program – Consideration of Placement on Provisional Accreditation and Request to Admit Students
(Director: Elizabeth Estrada, Bellflower, Los Angeles County, Private)

The InfoTech Career College, Vocational Nursing Program is presented to the Board for consideration of placement on provisional accreditation.

In accordance with Section 2526.1(c) of the Vocational Nursing Rules and Regulations,

“The Board may place any program on provisional accreditation when a program does not meet all requirements as set forth in this chapter and in Section 2526...”

Section 2530(l) of the Vocational Nursing Rules and Regulations states:

“The program shall maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate for first-time candidates of accredited vocational nursing schools for the same period.

- (1) Failure to maintain the required yearly average minimum pass rate for two years or eight (8) consecutive quarters may be cause to place a program on provisional accreditation.”

The following table shows the variance of the program's pass rates from the state average annual pass rates of first-time graduates of accredited vocational nursing programs for the past eight (8) quarters. This data substantiates the program's history of noncompliance with Section 2530(l) of the Vocational Nursing Rules and Regulations. Based on statistics reported for Quarter 3, 2011, the program is compliant with regulatory requirements.

NCLEX-PN® Licensure Examination Pass Rates			
Quarter	State Annual Average Pass Rate	Program Annual Average Pass Rate	Variance from State Annual Average Pass Rate
Oct – Dec 2009	73%	60%	-13
Jan – Mar 2010	74%	44%	-30
Apr – Jun 2010	75%	42%	-33
Jul – Sep 2010	75%	38%	-37
Oct – Dec 2010	76%	25%	-51
Jan – Mar 2011	77%	40%	-37
Apr – Jun 2011	76%	50%	-26
Jul – Sep 2011	76%	100%	+24

The program requests approval to admit a full-time day class of 30 students on January 17, 2012, graduating on March 23, 2013.

History of Prior Board Actions

- On May 14, 2008, the Executive Officer approved InfoTech Career College's request to begin a vocational nursing program with an initial class of 30 students commencing May 19, 2008 only, with a projected graduation date of August 11, 2009; **and** approved the program curriculum for 1560 hours, including 600 theory, and 960 clinical hours.
- **On September 9, 2008, a new program director was approved.**
- **On March 11, 2009, a new program director was approved.**
- **On July 6, 2009, a new program director was approved.**
- On July 13, 2009, the Board received the program's Program Records Survey.
- On July 20 – 21, 2009, the program was inspected for compliance with regulatory requirements for initial accreditation. Fourteen (14) violations of the California Code of Regulations were identified. Recommendations for correction of each violation and a timeline for correction were discussed.
- On August 28, 2009, the Board forwarded correspondence to the director relative to the absence of required corrections of violations identified during the survey visit. A response was requested by September 10, 2009.
- On September 10, 2009, the Board received the program's response to identified survey violations.
- On October 5, 2009, the assigned consultant met with the program director relative to the proposed corrections of the fourteen (14) violations identified during the July 20 – 21, 2009 survey visit. Required revisions were specified. The director agreed to submit

the required revised documents to correct all previously identified violations by Friday, October 30, 2009.

- On November 2, 2009, the Board received the program's revised documents addressing violations identified during the survey visit.
- On December 16, 2009, the assigned consultant, per telephone conference call, advised the director that the submitted information did not completely address violations identified during the July 2010 survey visit. Corrections specified during the visit and during the October 5, 2009 meeting were reiterated. Additional revisions were requested by Tuesday, December 29, 2009.
- On December 30, 2009, the Board received the program's final revisions addressing violations identified during the survey visit.
- On January 7, 2010, the Executive Officer approved initial full accreditation for the InfoTech Career College Vocational Nursing Program for the period from January 6, 2010, through January 5, 2014, and issued a certificate accordingly; **and**, approved the program's request to admit a class of 30 students commencing February 1, 2010, to **replace** students graduating August 24, 2009. That class was projected to graduate March 7, 2011.
- On March 1, 2010, the Board received electronic correspondence from the school owner advising of the director's termination.
- On March 2, 2010, the SNEC discussed the program's status with Ashok Garg, President, and Owner. Mr. Garg advised that commencement of the next class would be delayed due to the lack of financial aid. The owner projected commencement of that class for August 2010.
- On October 1, 2010, the Board received correspondence from A. Garg reporting the school's plans to admit a class on October 25, 2010 and the hiring of a new program director.
- On October 5, 2010, the Board forwarded correspondence per certified mail to A. Garg relative to the lack of submission of an application for a new director and information relative to the planned class.
- **On November 30, 2010, a new program director was approved.**
- On December 4, 2010, the program was notified that its average annual pass rates had fallen below 10 percentage points of the state average annual pass rate for the past four (4) quarters. The director was requested to submit a written plan for improving the program's NCLEX-PN® pass rates by December 20, 2010.
- On December 29, 2010, the Board received correspondence from the director and supporting documents related to the program's plan to increase licensure pass rates.

- February 17, 2011, the program was notified that its average annual pass rates had fallen below 10 percentage points of the state average annual pass rate for the past five (5) quarters. The program was requested to submit a written plan for improving their NCLEX-PN® pass rates by March 4, 2011.
- On March 4, 2011, the Board received correspondence from the director and supporting documents related to the program's plan to increase licensure pass rates.
- On May 16, 2011, the program was notified that its average annual pass rates had fallen below 10 percentage points of the state average annual pass rates for the past six (6) quarters. The program was requested to submit a written plan for improving their NCLEX-PN® pass rates by June 3, 2011.
- On April 13, 2011, a new program director was approved.
- On June 15, 2011, a new program director was approved.
- On October 7, 2011, the assigned consultant forwarded correspondence requesting submission of fifteen (15) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider.

Enrollment

Each class admission to the 60-week, full-time program must have prior Board approval. The pattern of admissions for current classes is seen in the enrollment table below.

The following table represents **current and proposed** student enrollment based on the current and proposed class start dates. The table indicates a **maximum enrollment of 54** students for the period **May 2008 through July 2012**.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
5/08		26	17	17
	8/09 (5/08 Class)		- 17	17 - 17 = 0
6/11 (Delayed from 2/1/10)		29	24	0 + 24 = 24
1/12 (Proposed)		30		24 + 30 = 54
	7/12 (6/11 Class)		-24	54 - 24 = 30

Licensing Examination Statistics

The following statistics, furnished by the Pearson Vue and published by the National Council of State Boards of Nursing as "Jurisdictional Summary of All First-Time Candidates Educated in Member Board Jurisdiction," for the period October 2009 through September 2011, specify the pass percentage rate for graduates of the InfoTech Career College, Vocational Nursing Program on the National Council Licensure Examination for Practical (Vocational) Nurses (NCLEX-PN®).

NCLEX-PN® Licensure Examination Data						
Quarterly Statistics					Annual Statistics*	
Quarter	# Candidates	# Passed	% Passed	State Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate
Oct - Dec 2009	5	3	60%	76%	60%	73%
Jan – Mar 2010	4	1	25%	76%	44%	74%
Apr - Jun 2010	3	1	33%	74%	42%	75%
Jul - Sep 2010	1	0	0%	76%	38%	75%
Oct - Dec 2010	No Candidates Tested			77%	25%	76%
Jan – Mar 2011	1	1	100%	80%	40%	77%
Apr – Jun 2011	No Candidates Tested			71%	50%	76%
Jul – Sep 2011	No Candidates Tested			74%	100%	76%
*The Annual Pass Rate changes every quarter. It is calculated by dividing the number of candidates who passed during the current and previous three quarters by the number of candidates who tested during the same period. If no data is available for the relevant period, the statistic is carried over from the last quarter for which data is available.						

Based on the most current data available (July to September 2011), the program's average annual pass rate is 100%. The California average annual pass rate for graduates from accredited vocational nursing programs who took the NCLEX-PN® for the first time is 76%. The average annual pass rate for the Info Tech Career College Vocational Nursing program is **24** percentage points **above** the state average annual pass rate.

It must be noted that the program had **no candidates** tested during **three (3) of the previous four (4) quarters**. Further, only **one (1) program candidate** completed the licensure examination **during the last four (4) quarters**; that **candidate passed**.

Faculty and Facilities

Section 2534(d) of the Vocational Nursing Rules and Regulations states:

"For supervision of clinical experience, there shall be a maximum of 15 students for each instructor."

The number of Board-approved faculty totals 15, including the director. The director has 90% administrative and 10% teaching duties. Of the total faculty, 14 instructors and the director are approved to teach clinical.

Based on a maximum enrollment of 54 students, four (4) instructors are needed. Therefore, the number of current faculty is adequate for the current and proposed enrollment.

Other Considerations

The program has eight (8) quarters of published examination statistics. For three (3) of those quarters, no program candidates completed the licensure examination. It is important to note, that regulatory compliance is based on the program's average annual pass rates. For seven (7) of the previous eight (8) consecutive quarters, the program's average annual pass rates were **13 to 51** percentage points **below** state average pass rates.

For the most recent reporting period, the program's **quarterly** pass rate was **100%**; the average **annual** pass rate was **100%**. It is noted that only one program candidate completed the licensure examination during the previous four (4) quarters. Therefore, the program's current average annual pass rate reflects one (1) program candidate.

Instability is also identified in the program's administration. Since inception, the program has had **seven (7) program directors**. The newest program director was approved by the Board June 16, 2011. The previous program director submitted a plan to improve their licensure pass rates; the plan was evaluated by the current program director. The plan included the addition of ATI entrance and comprehensive testing, addition of a personal interview to the selection criteria, increased the overall GPA to 76% and aligned the curriculum to correspond to the NCLEX-PN® test plan.

On October 7, 2011, the assigned consultant forwarded correspondence requesting submission of fifteen (15) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider (see Attachment A).

Recommendation:

1. Place InfoTech Career College Vocational Nursing Program on provisional accreditation for the two-year period from November 10, 2011, through November 30, 2013, and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations (see Attachment B).
2. Deny InfoTech Career College Vocational Nursing Program's request for approval to admit a class of 30 full-time, day, students on January 17, 2012, graduating on March 23, 2013, at this time.
3. Require the program to admit no additional students unless approved by the full Board.

4. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate for four consecutive quarters.
5. Require the program to submit follow-up reports in 9 months, but no later than **August 1, 2012**, and 21 months, but no later than **August 1, 2013**. The reports must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
 - a. Admission Criteria.
 - b. Screening and Selection Criteria.
 - c. Terminal Objectives.
 - d. Curriculum Objectives.
 - e. Instructional Plan.
 - f. Theory and Clinical Objectives for Each Course.
 - g. Lesson Plans for Each Course.
 - h. Textbooks.
 - i. Attendance Policy.
 - j. Remediation Policy.
 - k. Evaluations of Theory and Clinical Faculty.
 - l. Evaluations of Theory Presentations.
 - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - n. Evaluation of Student Achievement.
 - o. Current Enrollment.
6. Require the program to comply with all accreditation standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
7. Require the program to continue to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's accreditation.
8. Failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation.
9. Place the program on the **November 2013** Board agenda for reconsideration of provisional accreditation.

Rationale: Published examination statistics since the program's inception evidence the program's difficulty maintaining average annual pass rates that are compliant with regulatory requirements. For seven (7) consecutive quarters, the program's average annual pass rates were 13 to 51 percentage points below the state average annual pass rate. For the most recent reporting period, the program's average annual pass rate increased to 100%.

However, it must be noted that during the previous seven (7) quarters of noncompliance, a total of thirteen (13) program candidates completed the licensure examination; five (5) program candidates passed; eight (8) candidates failed. During the most recent reporting period, one (1) program candidate completed the licensure examination; the candidate passed. Therefore, the current average annual pass rate is representative of one (1) candidate. Such statistics supports the recommendation to place the program on provisional accreditation.

Additionally, the program has had **seven (7) program directors during the four and one-half (4.5) years it has been in existence**. The newest director was approved by the Board June 16, 2011. The director has identified and implemented a plan to correct the program's poor performance on the licensure examination; however, the Board is concerned with the consistency of implementation due to the high turn-over of program directors. Currently, 24 students are enrolled in classes at InfoTech Career College. Their anticipated date of graduation is July 12, 2012. Licensure data for these students is expected to be available approximately March 2013.

Board staff will continue to monitor the program by tracking its licensure examination pass rate quarterly.

Attachment A: Board Correspondence Dated October 7, 2011.
Attachment B: Draft Notice of Change in Accreditation Status.

Agenda Item #11.G.Attachment A



STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN, JR.
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CERTIFIED MAIL

October 7, 2011

Elizabeth Estrada, Director
Info Tech Career College
Vocational Nursing Program
16900 S. Lakewood Boulevard, Suite 209
Bellflower, CA 90706

Re: Consideration of Placement on Provisional Accreditation; Consideration of Request to Admit Students

Dear Mr. Estrada:

On September 29, 2011, the Board of Vocational Nursing and Psychiatric Technicians (Board) received your correspondence requesting Board approval to admit students to the ***InfoTech Career College Vocational Nursing Program***. The Board is scheduled to consider that request at its meeting scheduled November 10, 2011. That meeting will be held at the San Diego Convention Center, in San Diego, California.

To ensure dissemination and review by individual Board members and relevant staff for timely consideration prior to the May 20, 2011 Board meeting, please submit the following written information by **Friday, October 30, 2011**:

- Fifteen (15) copies of pertinent documents related to subsequent actions taken by the program to correct identified problems ***that you desire Board members to consider***. Please remember existing statutes require that any document considered by the Board will become a public record. Accordingly, please redact all names of students.
- In addition, please provide information on a compact disc (CD) for Board use. Again, please remember to redact any student names prior to copying information onto the CD.

Although the primary purpose of this letter is to convey the Board's need for the copies, please be assured that, if timely submitted, any correspondence and attachments will be reviewed and, if appropriate, information submitted may be included in the report of the assigned consultant.

The Board strongly recommends that you plan to attend the meeting and be prepared to respond to questions from Board members relative to your program.

Please contact the Board at (916) 263-7843 should further clarification be needed.

Sincerely,

PAM HINCKLEY, RN, MSN

Nursing Education Consultant

Board of Vocational Nursing and Psychiatric Technicians

2535 Capitol Oaks Drive, Suite 205

Sacramento, CA 95833

(916) 263-7843 Phone

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Agenda Item #11.G.Attachment B.



STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDWARD D. BREWSTER JR.

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CERTIFIED MAIL

November XX, 2011

Elizabeth Estrada
Director, Vocational Nursing Program
Info Tech Career College
16900 S. Lakewood Blvd., Suite 209
Bellflower, CA 90706

Subject: Notice of Change in Accreditation Status

Dear Ms. Estrada:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on November 10, 2011, the provisional accreditation status of the Info Tech Career College Vocational Nursing Program has been changed from full accreditation to provisional accreditation for the two – year period from November 10, 2011 through November 30, 2013. The purpose of this letter is to explain the areas of non-compliance found and the corrections required of your program to avoid losing accreditation completely.

Once you have reviewed this letter, please sign and return the enclosed "Acknowledgement of Change in Accreditation Status" form by **Friday, November 30, 2011**.

AREAS OF NON-COMPLIANCE [VIOLATION(S)]

In accordance with Section 2526.1(c) of title 16 of the California Code of Regulations,

"The Board may place any program on provisional accreditation when that program does not meet all requirements as set forth in this chapter and in Section 2526..."

Section 2530(l) of title 16 of the California Code of Regulations states:

"The program shall maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate for first time candidates of accredited vocational nursing schools for the same period.

- (l) Failure to maintain the required yearly average minimum pass rate for two years or eight consecutive quarters may be cause to place a program on provisional accreditation."

The program pass rates of the Info Tech Career College Vocational Nursing Program for the past seven (7) quarters are set forth in the following table.

NCLEX-PN® Licensure Examination Pass Rates			
Quarter	State Annual Average Pass Rate	Program Annual Average Pass Rate	Variance from State Annual Average Pass Rate
Oct – Dec 2009	73%	60%	-13
Jan – Mar 2010	74%	44%	-30
Apr – Jun 2010	75%	42%	-33
Jul – Sep 2010	75%	39%	-36
Oct – Dec 2010	76%	25%	-51
Jan – Mar 2011	77%	40%	-37
Apr – Jun 2011	76%	50%	-26
Jul – Sep 2011	76%	100%	+24

This data substantiates the program's history of non-compliance with Section 2530(l) of the Vocational Nursing Rules and Regulations for 7 of 8 Quarters. Based on statistics reported for Quarter 3, 2011, the program is compliant with regulatory requirements.

REQUIRED CORRECTION(S)

1. The Info Tech Career College, Vocational Nursing Program shall obtain full Board approval prior to the admission of additional students.
2. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate for four consecutive quarters.
3. The program shall submit a follow-up report in 9 months, but no later than **August 1, 2012**, and 21 months, but no later than **August 1, 2013**. The report must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis:
 - a. Admission Criteria.
 - b. Screening and Selection Criteria.
 - c. Terminal Objectives.
 - d. Curriculum Objectives.
 - e. Instructional Plan.
 - f. Theory and Clinical Objectives for Each Course.
 - g. Lesson Plans for Each Course.
 - h. Textbooks.
 - i. Attendance Policy.
 - j. Remediation Policy.
 - k. Evaluations of Theory and Clinical Faculty.
 - l. Evaluations of Theory Presentations.
 - m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.

- n. Evaluation of Student Achievement.
 - o. Current Student Enrollment.
4. The program shall comply with all accreditation standards in article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code section 2880, and article 5 of the Board's regulations, commencing at California Code of Regulations, title 16, section 2526.
 5. The program shall continue to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's accreditation.
 6. Failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation.

In the event additional violations of the accreditation standards are identified, such violations may result in further corrective action or revocation of provisional accreditation.

FUTURE BOARD ACTION

Your program will be placed on the **November 2013** Board Meeting agenda, at which point the Board may revoke or extend the program's accreditation. If you have additional information that you wish considered beyond the required corrections listed on page 3 and 4, you must submit this documentation by the fifteenth day of the second month prior to that Board meeting.

OTHER IMPORTANT INFORMATION

Please be advised that, pursuant to the Board's regulations, the program will not be authorized to admit new classes beyond the established pattern of admissions previously approved by the Board. The established pattern of admissions approved by the Board is as follows: **Prior Board approval was required for the admission of each class; however, based on the above corrections, the full Board's permission will be required for each future class admission.**

In the event your program is required to submit any report(s) as a corrective action pursuant to this notice, such reports are required in addition to any other reports required pursuant to 2527 of the Board's regulations.

The program may no longer advertise that it has full accreditation, and should take steps to correct any ongoing advertisements or publications in that regard.

A copy of title 16, California Code of Regulations, section 2526.1, regarding provisional accreditation is attached for your reference. A complete copy of the Board's laws and regulations can be found on the Board's web site at www.bvnpt.ca.gov.

Should you have questions, please do not hesitate to contact the Board.

Sincerely,

TERESA BELLO-JONES, J.D., M.S.N., R.N.
Executive Officer

Enclosures

cc: Board Members

TBJ:cca